THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.17795 of 2007

Between:

Noorjahan. … Petitioner

and

The Superintendent of Police,
Nizamabad and another.

… Respondents

ORDER:

It is the case of the petitioner that her two sons and daughters-in-law along with her husband are torturing and assaulting her daily and forcibly taking her hard earned money. Therefore, she lodged a complaint on 23-04-2007 with Kamareddy Police Station. On 25-04-2007, on the advise of elders, she compromised the matter.

It is further stated that as the said harassment has been continued, she filed another complaint before the 1st respondent on 05-05-2007. She also filed a private complaint on the file of Judicial First Class Magistrate, Kamareddy under Section 498-A IPC against her husband and other family members and the same is pending. Her relatives also filed a criminal case against the petitioner and the same is also pending.

The grievance of the petitioner is that the 2nd respondent has not registered the case, though a representation has been made alleging that a cognizable offence has been committed.

I am of the opinion that if the said complaint has not been registered, the petitioner has got an effective alternative remedy under the code of criminal procedure by way of filing private complaint under Section 200 read with Section 190 Cr.P.C. before the Magistrate concerned.

Accordingly, the writ petition is dismissed with a liberty to file private complaint before the Magistrate concerned. There shall be no order as to costs.

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31-08-2007

Prv